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Attorneys for United States Fidelity and Guaranty Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH STAR
TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN
STEVEDORING & HANDLING, and NORTH STAR TERMINAL &
STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING &
HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and
SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL
SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK
PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY
COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (HRH)

MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF S BAD FAITH CLAIM

COMES NOW the Defendant, United States Fidelity & Guaranty Company (hereinafter "USF&G"), by and through its counsel of record, Barokas Martin & Tomlinson, and herein moves for Summary Judgment on Plaintiff's Bad Faith Claim.

Dated this 1st day of May, 2006.

/s Herbert A. Viergutz

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 1st. day of May, 2006, to:

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